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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,454	01/11/2002	Dennis M. Smid	DSMID 3.0-001 RE	8257
530 7590 01/28/2009 LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			EXAMINER CANFIELD, ROBERT	
			ART UNIT 3600	PAPER NUMBER
			MAIL DATE 01/28/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10043454	1/11/02	SMID ET AL.	DSMID 3.0-001 RE

LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK
600 SOUTH AVENUE WEST
WESTFIELD, NJ 07090

EXAMINER

ROBERT J. CANFIELD

ART UNIT	PAPER
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3600

20090123

DATE MAILED:

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Commissioner for Patents

The amendment filed 02/19/08 proposes amendments that do not comply with 37 CFR 1.173, which sets forth the manner of making amendments in reissue applications. A supplemental paper correctly amending the reissue application is required. The amendment fails to comply with 37 CFR 1.173 (c):

(c) Status of claims and support for claim changes. Whenever there is an amendment to the claims pursuant to paragraph (b) of this section, there must also be supplied, on pages separate from the pages containing the changes, the status (*i.e.*, pending or canceled), as of the date of the amendment, of all patent claims and of all added claims, and an explanation of the support in the disclosure of the patent for the changes made to the claims.

Also note that the supplemental declaration filed 02/19/08 was executed on 08/17/07 so it cannot address the amendments filed 02/19/08.

A shortened statutory period for reply to this letter is set to expire ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this letter.

/Robert J Canfield/
Supervisory Patent Examiner, Art Unit 3635

Robert J Canfield
SPE
Art Unit: 3635